

Appl. No. 09/548,024
Amdt. Dated May 25, 2004
Reply to Office Action of February 25, 2004

Attorney Docket No. 81800.0121
Customer No.: 26021

REMARKS/ARGUMENTS

In response to the Office Action dated February 25, 2004, claim 1 is amended. Claims 1-20 remain in the application. It is not the Applicants' intent to surrender any equivalents because of the amendments or arguments made herein. Reexamination and reconsideration of the application, as amended, are respectfully requested.

Art-Based Rejections

In paragraphs 1-2 of the Office Action, claims 1 and 4-10 were rejected under 35 U.S.C. § 102(b) as being anticipated by Saito et al., USPN 6,266,160.

In paragraphs 3-4 of the Office Action, claims 2-3 and 11-13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Saito et al., USPN 6,266,160 in view of Oseto, USPN 6,097,797.

In paragraph 5 of the Office Action, claims 2-3 and 11-13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Oseto, USPN 6,097,797 in view of Saito et al., USPN 6,266,160.

The Applicant respectfully traverses the rejections, however, in order to expedite prosecution, the Applicant has amended the claims for clarification. The Applicant respectfully submits that the claims are patentable in light of the clarifying amendments above and the arguments below.

The Saito Reference

The Saito reference discloses an internet facsimile apparatus. A system according to Saito is composed of Internet facsimile apparatus 1 of the sender, Internet facsimile apparatus 2 as a relay apparatus, server 3 having a routing information table and facsimile apparatus 4 of the final destination. And Internet facsimile apparatus 1, Internet facsimile apparatus 2 and server 3 are connected to a network capable of e-mail communication. Connection 3' serves to connect the server 3 to the network. Internet facsimile apparatus 2 and facsimile apparatus 4 of the final destination implement a facsimile communication via ordinary public switched telephone network.

In the following, an Internet facsimile apparatus as a relay apparatus is abbreviated as "relay apparatus", and a facsimile apparatus of the final destination is abbreviated as "final destination".

Internet facsimile apparatus 1 and 2 are primarily composed of a scanning section for reading an original and generating image information, a data converting section for converting a data format of image information, a transmitting and receiving section for transmitting and receiving an e-mail attached image information, a recording section for recording received image information in a recording paper, a control section for controlling each section and an operating section for having different operation buttons and transferring an instruction of an operator to the control section.

For instance in the case of transmitting image information from Internet facsimile apparatus 1 to Internet facsimile apparatus 4, an operator sets an original at a scanning section and inputs at an operation section a facsimile number of a destination and push a start button.

According to the operation, the original is read at the scanning section based on control by the control section and image information is generated. The generated image information is converted into e-mail data at the data converting section then transmitted from the transmitting and receiving section as an attached file of e-mail. See Col. 2, line 35 through Col. 3, line 8.

The Oseto Reference

The Oseto reference discloses a network facsimile apparatus capable of email communications. The network facsimile apparatus 100 includes a system controller 1, a system memory 2, a parameter memory 3, a clock circuit 4, a scanner 5, a printer 6, a display panel unit 7, an encoding/decoding unit 8, an image memory 9, a Group 3 facsimile modem 10, a network controller 11, a LAN (local area network) interface 12, a LAN (local area network) data transmission controller 13, and an internal bus 14.

The system controller 1 controls the operation of the network facsimile apparatus 100 including a facsimile data transmission control for transmitting and receiving image information and arbitrary data files. The system memory 2 stores control (or application) programs to be performed by the system controller 1 and various kinds of data necessary for the execution of the control programs. In addition, the system memory 2 includes an address conversion table 2a, explained later, and a working memory area reserved for use of the system controller 1. The parameter memory 3 stores various kinds of parameters and information specific to the network facsimile apparatus 100. The clock circuit 4 generates information of the present time.

The scanner 5 reads an image of document at a predetermined resolution. The printer 6 produces an image output at a predetermined resolution. The display panel unit 7 includes various kinds of operational keys and indicators interfacing between an operator and the network facsimile apparatus 100.

The encoding/decoding unit 8 encodes an input image signal to compress the image information and decodes the compressed image information back into the input image signal and the transmission data memory 9 stores data including the compressed image data and data files to be transmitted.

The facsimile modem 10 is preferably a Group 3 facsimile modem that performs the functions of a modem for the Group 3 facsimile machine. The facsimile modem 10 includes a low-speed modem function, such as a V.21 modem, for transmitting and receiving communication protocols and a high-speed modem function, such as V.17, V.34, V.29, V.27ter modems, for mainly transmitting and receiving image information. The network controller 11 has direct connections to the Group 3 facsimile modem 10. The network controller 11 includes an automatic transmitting and receiving function and controls the connection of the network facsimile apparatus 100 to the PSTN 120.

The LAN interface 12 is a communication interface between the LAN data transmission controller 13 and the LAN 102 located in the same domain as the network facsimile apparatus 100. The LAN data transmission controller 13 controls communications, using a predetermined protocol suite, for exchanging various kinds of data with other devices associated with the same domain as the facsimile apparatus 100, e.g. DM 101, via the LAN 102. The controller 13 can also control communications for exchanging various kinds of data with data terminal machines associated with other domains via the Internet 130.

The internal bus 14 is connected to all of the above-described units of the network facsimile apparatus 100, except for the LAN interface 12 which has a connection to the LAN data transmission controller 13. The bus 14 provides a medium for communications between the various units of the network facsimile apparatus 100. See Col. 6, line 46 through Col. 7, line 42.

The Claims are Patentable over the Cited Reference

The claims of the present invention describe a network facsimile machine. An apparatus in accordance with the present invention comprises a capabilities storage unit that stores data for delivery recipients on said second network and stores corresponding reception capabilities for said delivery recipients, and a communication control unit that receives delivery recipient-specifying data over the PSTN, looks up this data in said capabilities storage unit, and transmits a signal over the PSTN declaring reception capabilities of a delivery recipient specified by the recipient-specifying data.

The cited references do not teach nor suggest the limitations of the claims of the present invention. (Specifically, the cited references do not teach or suggest at least the limitation of a capabilities storage unit that stores corresponding reception capabilities for the delivery recipients, nor do the cited references teach or suggest at least the limitation of transmitting a signal over the PSTN declaring reception capabilities of a delivery recipient, as recited in the claims of the present invention.)

Although Saito mentions a server 3 with a database to store capabilities of a relay apparatus 2, Saito makes no mention of a capabilities storage unit that stores corresponding reception capabilities of the final recipient of the facsimile data, nor does Saito mention anything about declaring such capabilities from the final

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recipient of the facsimile data over the PSTN as recited in the claims of the present invention.

The Oseto reference does not remedy the deficiencies of the Saito reference. Namely, neither of the references, alone or in any combination, teach or suggest at least the limitation of a capabilities storage unit that stores corresponding reception capabilities for the delivery recipients, nor do the cited references teach or suggest at least the limitation of transmitting a signal over the PSTN declaring reception capabilities of a delivery recipient, as recited in the claims of the present invention.

Thus, it is submitted that independent claims 1 and 14 are patentable over the cited references. Claims 2-13 and 15-20 are also patentable over the cited reference, not only because they contain all of the limitations of the independent claims 1 and 14, but because claims 2-13 and 15-20 also describe additional novel elements and features that are not described in the prior art.

Conclusion

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Reexamination and reconsideration of the application, as amended, are requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California telephone number (213) 337-6742 to discuss the steps necessary for placing the application in condition for allowance.

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If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-1314.

Respectfully submitted,
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Date: May 25, 2004

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